

1
2
3
4
5
6
7 **UNITED STATES DISTRICT COURT**
8
9 EASTERN DISTRICT OF CALIFORNIA

10 MICHAEL WAYNE MATHISON,

11 Plaintiff,

12 v.

13 ZACHARY SHANNON,

14 Defendant.

Case No. 1:24-cv-00427-KES-SAB

15 ORDER AUTHORIZING SERVICE OF
16 COMPLAINT AND FORWARDING
17 SERVICE DOCUMENTS TO PLAINTIFF
18 FOR COMPLETION AND RETURN
19 WITHIN THIRTY DAYS

(ECF Nos. 12, 19, 20)

DEADLINE: 30 DAYS

20
21
22
23
24
25
26
27
28 On July 25, 2024, Plaintiff Michael Wayne Mathison, proceeding *pro se* and *in forma
pauperis*, filed a second amended complaint in this civil rights action pursuant to 42 U.S.C. §
1983. (ECF No. 1.) The Court screened the second amended complaint and found it stated one
cognizable claim under the Fourth Amendment for excessive force against Defendant Zachary
Shannon. (ECF No. 13.) On November 15, 2024, Plaintiff filed a notice stating that he wished to
proceed on the cognizable claim. (ECF No. 18.) On November 19, 2024, this Court issued
findings and recommendations that this action proceed on Plaintiff's Fourth Amendment claim
for excessive force against Defendant Zachary Shannon, and that all other claims be dismissed for
failure to state a claim. (ECF No. 19.) The findings and recommendations were adopted by the
District Judge on July 28, 2025. (ECF No. 20.)

1 Accordingly, IT IS HEREBY ORDERED that:

2 1. Service is appropriate for the following defendant:

3 **Zachary Shannon, a police officer employed by the Selma Police**
4 **Department, on or about May 3, 2023**

5 2. The Clerk of the Court shall send Plaintiff one (1) USM-285 form, one (1)
6 summons, a Notice of Submission of Documents form, an instruction sheet and a
7 copy of the second amended complaint filed on July 25, 2024 (ECF No. 12);

8 3. **Within thirty (30) days** from the date of this order, Plaintiff shall complete the
9 attached Notice of Submission of Documents and submit the completed Notice to
10 the Court with the following documents:

11 a. a completed summons for the defendant named above;

12 b. a completed USM-285 form for the defendant named above; and

13 c. Two (2) copies of the endorsed second amended complaint filed on July
14 25, 2024 (ECF No. 12);

15 4. Plaintiff need not attempt service on the Defendants and need not request waiver
16 of service. Upon receipt of the above-described documents, the Court will direct
17 the United States Marshal to serve the above-named defendants pursuant to
18 Federal Rule of Civil Procedure 4 without payment of costs;

19 **Plaintiff is informed that failure to comply with this order will result in a**
20 **recommendation that this action be dismissed.**

21 IT IS SO ORDERED.

22 Dated: July 28, 2025



23 STANLEY A. BOONE
24 United States Magistrate Judge